

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

RICHARD ZECHER, ROBERT YADEGAR,
ZECH CAPITAL LLC, Y-GAR CAPITAL LLC,
RICHARD N. ZECHER 2010 FAMILY TRUST,
RICHARD N. ZECHER 2010 FAMILY TRUST
FOR THE BENEFIT OF EVAN GREGORY
ZECHER, and RICHARD N. ZECHER 2010
FAMILY TRUST FOR THE BENEFIT OF
RACHEL JOY ZECHER,

Plaintiffs,

v.

VINCE HOLDING CORP., JILL GRANOFF, LISA
KLINGER, MARK BRODY, BRENDAN
HOFFMAN, DAVID STEFKO, MARC J. LEDER,
SUN CAPITAL PARTNERS, INC., SUN
CARDINAL, LLC, SCSF CARDINAL, LLC, and
SUN CAPITAL PARTNERS MANAGEMENT V,
LLC,

Defendants.

2:18-cv-05072 (JFB) (AYS)

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT, pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6) and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4(b), upon the accompanying memorandum of law, and the accompanying declaration of Robert N. Kravitz dated March 29, 2019 and its exhibits, defendants Vince Holding Corp., Jill Granoff, Lisa Klinger, Mark Brody, Brendan Hoffman, David Stefko, Marc J. Leder, Sun Capital Partners, Inc., Sun Cardinal, LLC, SCSF Cardinal, LLC, and Sun Capital Partners Management V, LLC (together, the “Defendants”), by their attorneys Paul, Weiss, Rifkind, Wharton & Garrison LLP, hereby move this Court to dismiss the Amended

Complaint filed on January 28, 2019, by plaintiffs Richard Zecher, Robert Yadegar, Zech Capital LLC, Y-GAR Capital LLC, Richard N. Zecher 2010 Family Trust, Richard N. Zecher 2010 Family Trust For The Benefit Of Evan Gregory Zecher, and Richard N. Zecher 2010 Family Trust For The Benefit Of Rachel Joy Zecher, in its entirety against the Defendants, collectively and individually.

The Defendants request oral argument on this motion.

Dated: New York, New York
March 29, 2019

PAUL, WEISS, RIFKIND,
WHARTON & GARRISON LLP

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Management V, LLC*

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